



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

17 APR 2009

Richard Sims  
NRCS  
210 Walnut Street, Room 693  
Des Moines, IA 50309-2180

Dear Mr. Sims:

RE: Review of Draft Environmental Impact Statement for the Clarke County Water Supply Project, Clarke County, Iowa.

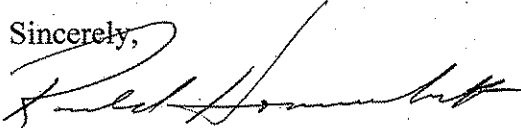
Region 7, U.S. Environmental Protection Agency, has reviewed the Draft Environmental Impact Statement for the Clarke County Water Supply Project. Our review is provided pursuant to the National Environmental Policy Act 42 U.S.C. 4231, Council on Environmental Quality regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act. The DEIS was assigned the CEQ number 20090052.

The DEIS describes the environmental impacts of expected from the construction of an 884-acre lake in Clarke County, Iowa. That lake would have three purposes: water supply, recreation, and to reduce sediment and pollutant runoff from the surrounding watershed. While five sites were initially considered for the project, four were dropped from detailed study, and only the preferred alternative and no-build alternative were fully considered.

Overall the document describes the environmental impacts resulting from the construction of the reservoir, and clearly articulates the purpose and need for the project. However, the document is missing discussion of the quantity and quality of stream impacts, and the anticipated plan for stream mitigation. Furthermore, as declared in the document - historic and cultural impacts have not yet been identified. Therefore, EPA has rated the DEIS for this project Environmental Concerns-2 (Insufficient Information). A copy of EPA's rating descriptions is provided as an enclosure to this letter.

Thank you for the opportunity to provide comments regarding this project and your DEIS. If you have any questions or concerns, please contact Stephen Smith at (913)-551-7656.

Sincerely,

  
Ronald F. Hammerschmidt, Ph.D.  
Director  
Environmental Services Division

Enclosure



**Detailed Comments for the Draft Environmental Impact Statement  
Clarke County Water Supply Project, Clarke County, Iowa**

EPA offers a few observations and recommendations as follows:

Waters of the United States:

- There is no discussion of the need for, or methods to be used, for mitigating stream impacts. There is also no discussion of the quality of streams impacted. Mitigation of stream impacts will be required with the approval of a 404 permit.

On March 31, 2008, EPA and the U.S. Army Corps of Engineers issued revised regulations governing compensatory mitigation for authorized impacts to wetlands, streams, and other waters of the U.S. under Section 404 of the Clean Water Act. These regulations are designed to improve the effectiveness of compensatory mitigation to replace lost aquatic resource functions and area, expand public participation in compensatory mitigation decision making, and increase the efficiency and predictability of the mitigation project review process. Links to the final rule and supporting materials can be found below.

[http://www.epa.gov/owow/wetlands/pdf/wetlands\\_mitigation\\_final\\_rule\\_4\\_10\\_08.pdf](http://www.epa.gov/owow/wetlands/pdf/wetlands_mitigation_final_rule_4_10_08.pdf)

EPA recommends:

- 1) A stream condition survey for all impacted streams be performed, and
- 2) the FEIS include the results of those surveys, as well as discussion of the anticipated requirements and plans for stream mitigation.

Wetlands Impacts:

- This project will impact 19 miles of stream and 59 acres of wetlands, a substantial quantity. This project will impact **21.6%** of the watershed's wetlands, which includes **38.6%** of the forested wetlands, and **92.4%** of the scrub shrub wetlands.

The document states that there will be a net increase of wetlands. However, there will be a substantial loss of forested wetlands and scrub shrub wetlands. The wetlands created by the dam impoundment will likely be all Palustrine Emergent Wetlands. There will be a conversion of 31.4 acres of forested wetland, and 19.44 acres of scrub shrub, that have higher functional value than PEMGh wetlands.

EPA recommends:

- 1) if impacts are not avoidable, that mitigation for these impacts be placed within the project's watershed

- 2) wetland mitigation plans must differentiate the various types of wetland, and be specific in detailing plans to replace or mitigate forested and scrub shrub wetlands in the watershed.

#### Historic and Cultural Impacts:

-The document outlines NRCS's initial steps toward identifying the historic and cultural impacts of the project. It further accurately describes practical difficulties (specifically, private land access) with collecting the data necessary to conduct an adequate historic and cultural survey.

#### EPA recommends:

- 1) That a programmatic agreement with the Iowa State Historic Preservation Officer be negotiated, and that historic impacts be identified before the construction of the project is undertaken.

#### Additional Comments:

- Part of the need for this project is predicated upon supporting the biofuels industry. Recent national economic developments have had a detrimental effect on biofuels, and thus, the water balance justification for the reservoir may have been impacted. EPA suggests that the FEIS include updated information on the planned or anticipated industrial development within the watershed.

- Pg. 3. It is not clear how the Net Beneficial Effects was calculated, given the previously listed Project Costs and Project Benefits. EPA suggests that these tables be reformatted and clarified.

- EPA recommends that maps and graphics be incorporated into the text, rather than printed at the end of the document.